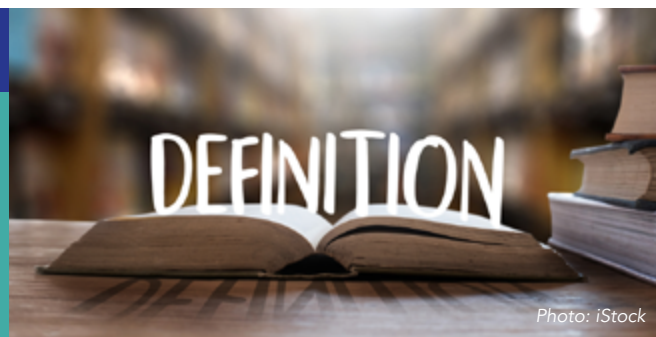


UNDERSTANDING THE AMENDED POPIA REGULATIONS

The [regulations](#), updated and published in May 2025, explain how organisations must comply with the Act and clarify the rights of data subjects.

1. NEW DEFINITIONS

New definitions for 'complainant', 'complaint', 'day', 'office hours', 'relevant body/bodies', and 'writing' were added. These new definitions are important for interpreting the updated Regulations.



2. OBJECTION TO PROCESSING



What's new: Previously, objections were less accessible and not required to be accepted in various formats. The new regulations mandate broader access and more explicit rights notification. Regulation 2 has been replaced in its entirety.

A data subject may object to the processing of their personal information under section 11(3) of POPIA. To do so:

- The objection must be submitted to the responsible party, free of charge and during office hours;
- It must be made using a form substantially similar to [Form 1](#) and can be delivered by hand, fax, post, email, SMS, or WhatsApp, or any other convenient method;
- If made by telephone, the objection must be recorded and made accessible to the data subject; and
- The responsible party must inform the data subject of this right when collecting personal information.

3. CORRECTION OR DELETION



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What's new: The update clarifies that these requests must be free, accessible, and responded to within a firm timeline.

A data subject may request the correction or deletion of personal information, or the destruction of a record, if:

- The information is inaccurate, irrelevant, excessive, outdated, incomplete, misleading, or unlawfully obtained; or
- The responsible party no longer has lawful grounds to retain the data.

To make a request:

- The data subject must complete a form similar to [Form 2](#). This request must be free of charge;
- Requests can be submitted by hand, email, post, SMS, WhatsApp, or telephone (in which case the call must be recorded); and
- The responsible party must respond in writing within 30 days of receiving the request.

4. INFORMATION OFFICER DUTIES



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What's new: The amendments streamline duties and emphasise proactive and ongoing improvement in compliance.

The information officer of an organisation must:

- Ensure that compliance measures for personal data protection are maintained and continually improved; and
- Follow the updated duties outlined in the amended regulations.

5. DIRECT MARKETING CONSENT



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What's new: The new rules clarify what is needed for explicit consent.

A responsible party wishing to send direct marketing messages via email, phone, SMS, WhatsApp, or automated systems must:

- Obtain written consent from the data subject using a form similar to [Form 4](#);
- Accept consent through various means, including email, phone calls, SMS, WhatsApp, and automated calls;
- Record such consent, especially if given over the phone or via automated systems and make it accessible to the data subject on request; and
- Note that silence or failure to opt out does not constitute valid consent.

6. COMPLAINTS



What's new: This section now allows a broader group of people to lodge complaints and requires the Regulator to assist complainants in languages other than English.

A complaint may be lodged by:

- A data subject whose personal information has been misused; or
- Someone acting on a data subject's behalf or in the public interest.

The complaint:

- Must be in writing and can be submitted online, in person, by email, fax, courier, or post using [Form 5](#);
- May include supporting documents and any relevant information;
- Will be acknowledged by the Regulator with a reference number within 14 days;
- May be submitted anonymously, provided the Regulator accepts valid reasons for non-disclosure of the complainant's identity; and
- Will be assisted by the Regulator, free of charge, and in alternative languages if needed.

7. ADMINISTRATIVE FINES



What's new: This provision introduces flexibility for organisations unable to pay fines immediately, which was not available under the previous regulations.

Where a responsible party is fined under POPIA and cannot pay in full:

- The party may request to pay the fine in instalments.
- The Regulator will assess the party's financial situation and other relevant factors before making a decision.

8. FURTHER READING

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[Chapter 1](#) – POPIA's place in the grand scheme of governance

[Chapter 2](#) – Laws and sausages: The purpose and interpretation of POPIA

[Chapter 4](#) – Who is held accountable for POPIA compliance

[Chapter 16](#) – Direct marketing

[Chapter 18](#) – Data subject rights

[Chapter 19](#) – Enforcement of POPIA